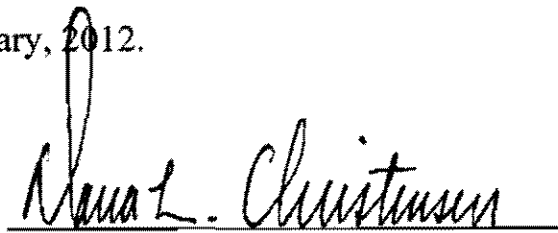


mailbox rule), it will nonetheless be considered as a supplement to McClanahan's objections to the Magistrate Judge's Findings and Recommendation.

McClanahan does not show that he has exhausted his state remedies. The basis for his petition's dismissal is unchanged. Likewise, a certificate of appealability is denied because no reasonable jurist could question the continuing validity of the exhaustion requirement. Lynch v. Blodgett, 999 F.2d 401, 403 (9th Cir. 1993).

Accordingly, IT IS HEREBY ORDERED that McClanahan's motion for relief (Doc. 7) is DENIED. A certificate of appealability is DENIED.

DATED this 7th day of February, 2012.


Dana L. Christensen, District Judge
United States District Court